UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,642	12/28/2000	Michael S. Ripley	42390P9906	7103

			EXAMINER
8791	7590	10/06/2004	SMITHERS, MATTHEW

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ART UNIT	PAPER NUMBER
2137	

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _28 December 2000_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-25_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-25_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _16 April 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Drawings

The drawings were received on 16 April 2001. These drawings are accepteble.

Claim Objections

Claim 8 is objected to because of the following informalities: The paragraph that

begins with "a media . . . data" may not end in a period. See MPEP 608.01(m) Form of

Claims. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

patent application 2004/015603 to Bell et al.

Regarding claim 1, Bell meets the claimed limitation as follows:

"A machine readable media, comprising:

a writeable area of the media;

a read only area of the media;

a content stored on the writeable area of the media;

a first media validation data containing an encrypted preselected value and being stored

on the writeable area; and,

a second media validation data equal to the first media validation data and being stored

on the read only area." see Abstract (. . . media identification . . . in read-only area of the

disk before it is initially recorded . . . media key block is written to the disk . . .); page 3,

paragraph 0039 to page 4, paragraph 0042; page 4, paragraphs 0047-0051.

Regarding claim 2, Bell meets the claimed limitation as follows:

"The media of claim 1, further comprising:

a circuit to calculate a message authentication code over the first media validation data

using a shared session key to be established between the media and a device

authorized to access the content." see page 4, paragraph 0043.

Regarding claim 3, Bell meets the claimed limitation as follows:

"The media of claim 1 is a digital versatile disc (DVD)." see page 3, paragraph 0033.

Regarding claim 4, Bell meets the claimed limitation as follows:

"A device comprising:

an input/output apparatus to access a media; and,

a processor communicatively coupled with the input/output apparatus, the processor

being configured to read a first media validation data from a writeable area of the media,

set a first device validation data equal to the first media validation data read a second

media validation data from a read only area of the media set a second device validation

data equal to the second media validation data,

compare the first device validation data and the second device validation data, and

deny authorization to access content stored on the media if the first device validation

data and the second device validation data are unequal." see Abstract (. . . media

identification . . . in read-only area of the disk before it is initially recorded . . . media key

block is written to the disk . . .); page 3, paragraph 0039 to page 4, paragraph 0042; and

page 4, paragraphs 0047-0051.

Regarding claim 5, Bell meets the claimed limitation as follows:

"The device of claim 4, wherein, the processor is further configured to decrypt one of the

first device validation data and the second device validation data and to deny

authorization to access the content if a result of the decryption is unequal to a

preselected value." see page 4, paragraphs 0042-0051.

Regarding claim 6, Bell meets the claimed limitation as follows:

The device of claim 4, wherein the processor is further configured to:

establish a shared session key with the media, read a first media message

authentication code from the media, set a first device message authentication code

equal to the first media message authentication code, calculate a second device

message authentication code over the first media validation data using the shared

session key, compare the first device message authentication code and the second

device message authentication code, and deny authorization to access a content stored

on the media if the first device message authentication code and the second device

message authentication code are unequal." see page 4, paragraphs 0042-0051 and

figures 8 and 9.

Regarding claim 7, Bell meets the claimed limitation as follows:

"The device of claim 4 is a digital versatile disc (DVD) player." see page 3, paragraph

0033.

Regarding claim 8, Bell meets the claimed limitation as follows:

"A data protection system, comprising:

a media including (i) a writeable area that stores a first media validation data containing

an encrypted preselected value and a content, (ii) a read only area of the media that

stores a second media validation data equal to the first media validation data,

a processor communicatively coupled with the media, the processor being configured to

read the first media validation data, set a first device validation data equal to the first

media validation data, read the second media validation data, set a second device

validation data equal to the second media validation data, compare the first device

validation data and the second device validation data, and deny authorization to access

the content if the first device validation data and the second device validation data are

unequal." see Abstract (. . . media identification . . . in read-only area of the disk before

it is initially recorded . . . media key block is written to the disk . . .); page 3, paragraph

0039 to page 4, paragraph 0042; page 4, paragraphs 0047-0051.

Regarding claim 9, Bell meets the claimed limitation as follows:

"The data protection system of claim 8, further comprising:

a media circuit to calculate a media message authentication code over the second

media validation data using a shared session key to be established when the processor

attempts to access the content." see page 4, paragraphs 0042-0051 and figures 8 and

9.

Regarding claim 10, Bell meets the claimed limitation as follows:

"The data protection system of claim 8, wherein the processor is further configured to

establish the shared session key with the media, read the media message

authentication code from the media,

set a first device message authentication code equal to the media message

authentication code,

calculate a second device message authentication code over the first device validation

data using the shared session key, compare the first and the second device message

authentication codes and

deny authorization to access the content if the first and the second device message

authentication codes are unequal." see page 4, paragraphs 0042-0051 and figures 8

and 9.

Regarding claim 11, Bell meets the claimed limitation as follows:

"The data protection system of claim 8, wherein the reader is a digital versatile disc

(DVD) player." see page 3, paragraph 0033.

Regarding claim 12, Bell meets the claimed limitation as follows:

"A method, comprising:

preselecting a value;

encrypting the preselected value;

setting a first media validation data equal to the encrypted preselected value;

setting a second media validation data equal to the encrytpted preselected value;

storing the first media validation data on a writeable area of a media; and,

storing the second media validation data on a read only area of the media to protect a

content stored on the media." see Abstract (. . . media identification . . . in read-only

area of the disk before it is initially recorded . . . media key block is written to the disk . .

.); page 3, paragraph 0039 to page 4, paragraph 0042; page 4, paragraphs 0047-0051.

Regarding claim 13, Bell meets the claimed limitation as follows:

"The method of claim 12, further comprising:

configuring a media processor to calculate a media message authentication code over

the first media validation data using a shared session key to be established when a

media reader attempts to access the content." see page 4, paragraphs 0042-0051 and

figures 8 and 9.

Regarding claim 14, Bell meets the claimed limitation as follows:

"The method of claim 12, further comprising:

configuring a media reader to read the first media validation data;

setting a first device validation data equal to the first media validation data;

configuring the media reader to read the second media validation data;

setting a second device validation data equal to the second media validation data;

configuring the media reader to compare the first device validation data and the second

device validation data; and,

configuring the media reader to deny authorization to access the content if the first

device validation data and the second device validation data are unequal." see page 4,

paragraphs 0042-0051 and figures 8 and 9.

Regarding claim 15, Bell meets the claimed limitation as follows:

"The method of claim 14, further comprising:

configuring the media reader to decrypt both the first device validation data and the

second device validation data; and, configuring the media reader to deny authorization

to access the content if a result of the decryption is unequal to the preselected value."

see page 4, paragraphs 0042-0051 and figures 8 and 9.

Regarding claim 16, Bell meets the claimed limitation as follows:

"The method of claim 12, wherein the media is a digital versatile disc (DVD)." see page

3, paragraph 0033.

Regarding claim 17, Bell meets the claimed limitation as follows:

"A machine readable medium containing instructions which, when executed by an

apparatus causes the apparatus to perform operations, comprising:

setting a first validation data equal to an encrypted preselected value;

setting a second validation data equal to the encrypted preselected value;

storing the first validation data on a writeable area of a media; and,

storing the second validation data on a read only area of the media." see Abstract (. . .

media identification . . . in read-only area of the disk before it is initially recorded . . .

media key block is written to the disk . . .); page 3, paragraph 0039 to page 4,

paragraph 0042; page 4, paragraphs 0047-0051.

Regarding claim 18, Bell meets the claimed limitation as follows:

"The machine readable medium of claim 17, wherein the instructions, when executed,

further cause the apparatus to perform operations comprising:

configuring a media processor to calculate a media message authentication code over

the first media validation data using a shared session key to be established when a

media reader attempts to access the content." see page 4, paragraphs 0042-0051 and

figures 8 and 9.

Regarding claim 19, Bell meets the claimed limitation as follows:

"The machine readable medium of claim 17 is a digital versatile disc (DVD)." see page

3, paragraph 0033.

Regarding claim 20, Bell meets the claimed limitation as follows:

"A machine readable medium containing instructions which, when executed by

an apparatus, causes the apparatus to perform operations comprising:

configuring a media reader to tread a first media validation data;

setting a first device validation data equal to the first media validation data;

configuring the media reader to read a second media validation data;

setting a second device validation data equal to the second media validation data;

configuring the media reader to compare the first device validation data and the second

device validation data; and,

configuring the media reader to deny authorization to access the content if the first

device validation data and the second device validation data are unequal." see page 4,

paragraphs 0042-0051 and figures 8 and 9.

Regarding claim 21, Bell meets the claimed limitation as follows:

"The machine readable medium of claim 20, wherein the instructions, when executed

further cause the apparatus to perform operations comprising:

configuring the media reader to decrypt both the first device validation data and the

second device validation data; and,

configuring the media reader to deny authorization to access the content if a result of

the decryption is unequal to the preselected value." see page 4, paragraphs 0042-0051

and figures 8 and 9.

Regarding claim 22, Bell meets the claimed limitation as follows:

"The machine readable medium of claim 20, the media reader is a digital versatile disk

(DVD) player." see page 3, paragraph 0033.

Regarding claim 23, Bell meets the claimed limitation as follows:

"A machine readable media, comprising:

a writeable area of the media;

a read only area of the media;

a content stored on the writeable area of the media; and,

a first media validation data containing an encrypted preselected value and being stored

on the read only area." see Abstract (. . . media identification . . . in read-only area of the

disk before it is initially recorded . . . media key block is written to the disk . . .); page 3,

paragraph 0039 to page 4, paragraph 0042; page 4, paragraphs 0047-0051.

Regarding claim 24, Bell meets the claimed limitation as follows:

The machine readable media of claim 23, further comprising:

a second media validation data equal to the first media validation data and being stored

on the writeable area." see Abstract (. . . media identification . . . in read-only area of the

disk before it is initially recorded . . . media key block is written to the disk . . .); page 3,

paragraph 0039 to page 4, paragraph 0042; page 4, paragraphs 0047-0051.

Regarding claim 25, Bell meets the claimed limitation as follows:

"The media of claim 23, further comprising:

a circuit to calculate a media message authentication code over the first media

validation data using a shared session key to be established between the media and a

device authorized to access the content." see page 4, paragraph 0043.

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

A. Ishiguro et al (5,883,958) discloses a system for preventing unauthorized

reproduction of content stored on a DVD.

B. Lotspiech (6,609,116) discloses a system for securely updating copy-

protected media.

C. Ishiguro et al (6,697,945) discloses a system for preventing unauthorized

reproduction of content stored on a DVD using a hash and service key.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Matthew B Smithers whose telephone number is (703)

308-9293. The examiner can normally be reached on Monday-Friday (9:00-5:30) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Andrew T Caldwell can be reached on (703) 306-3036. The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Matthew B Smithers
Primary Examiner
Art Unit 2137